

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	CRIMINAL ACTION
)	
v.)	No. 06-20013-01-KHV
)	
SCOTT FREAR,)	
)	
Defendant.)	
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MEMORANDUM AND ORDER

This matter is before the Court on defendant’s Motion To Terminate Defendant’s Term Of Supervised Release (Doc. #52) filed August 3, 2021. The Court directed the government to file a response by August 19, 2021, but it did not do so. For reasons stated below, the Court sustains defendant’s motion.

The Court may “terminate a term of supervised release and discharge the defendant released at any time after the expiration of one year of supervised release . . . if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice.” 18 U.S.C. § 3583(e)(1). The Court has “broad discretion” to grant or deny termination of supervised release. Rhodes v. Judiscak, 676 F.3d 931, 934 (10th Cir. 2012) (citing Burkey v. Marberry, 556 F.3d 142, 144–45 (3d Cir. 2009)).

The Court has considered the factors set forth in 18 U.S.C. §§ 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6) and (a)(7). For substantially the reasons stated in defendant’s Motion To Terminate Defendant’s Term Of Supervised Release (Doc. #52), the Court finds that defendant’s term of supervised release should be terminated. In particular, defendant earned several academic and vocational degrees while in prison including a Ph.D. in Christian Administration and a doctorate in Christian Counseling. After release, defendant completed

several treatment programs and seems to have successfully integrated into the community. He has done well on supervision, maintained contact with his supervising officer and has no dirty UAs or other violations. It does not appear that continued supervision would be helpful or is necessary to ensure that defendant continues to adjust to his release after prison. Based on defendant's showing and the relevant factors under Section 3553(a), the Court commends defendant and sustains his motion for early termination of supervised release.

IT IS THEREFORE ORDERED that defendant's Motion To Terminate Defendant's Term Of Supervised Release (Doc. #52) filed August 3, 2021 is **SUSTAINED**. The Court terminates the remaining term of defendant's supervised release. Defendant is discharged.

Dated this 27th day of August, 2021 at Kansas City, Kansas.

s/ Kathryn H. Vratil
KATHRYN H. VRATIL
United States District Judge